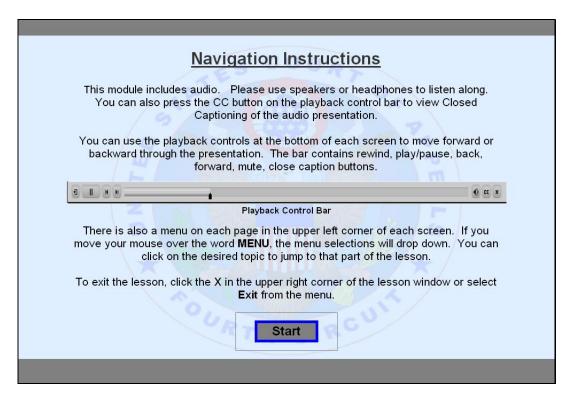


WELCOME

Slide notes: Welcome to the Fourth Circuit Court of Appeals Attorney ECF Training.



NAVIGATION

Slide notes: Please review the navigation instructions before proceeding. Note that you can click on any web link in this presentation without stopping the presentation. Press the Start button when you are ready to proceed.

Objectives

- Review Fourth Circuit ECF policies and procedures.
- Review filing documents in the Appellate ECF application.
- Complete Appellate ECF training and registration requirements.



OBJECTIVES

Slide notes: Please take a moment to review the objectives for this lesson. Click the Continue button when you are ready to begin.

Electronic Filing

The Court's Administrative Order 08-01, CM/ECF User Manual, and complete information regarding CM/ECF is available on the Court's web site:

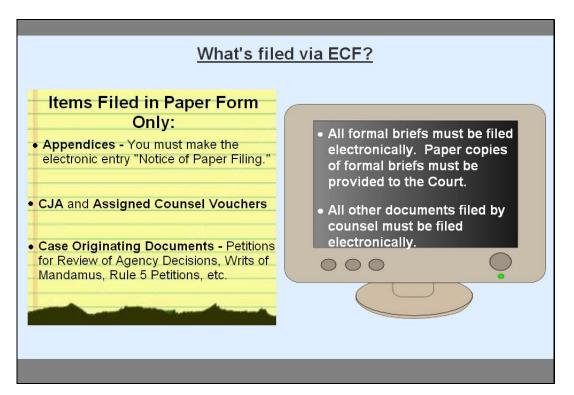
www.ca4.uscourts.gov.

The Fourth Circuit requires all attorneys to complete on-line training before their ECF account will be activated.

You can reach the Fourth Circuit ECF Helpdesk, Monday through Friday, 8:30am - 5:00pm EST, at 804-916-2767.

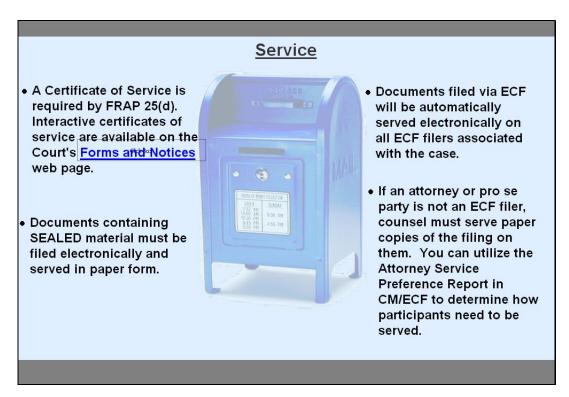
ELECTRONIC FILING

Slide notes: The Fourth Circuit was the second Appellate Court in the country to implement electronic filing for attorneys. The Court's Administrative Order 08-01 requires all attorneys to file documents electronically as of June 1, 2008. All ECF filers are required to complete Fourth Circuit ECF training before their ECF account will be activated. At the end of this lesson you will be directed to the Fourth Circuit's Review and Certification Form and the Appellate ECF registration web site. Users must answer at least eight out of ten Review questions correctly. Your account will be activated upon receipt of a passing review score and ECF registration.



WHAT'S FILED

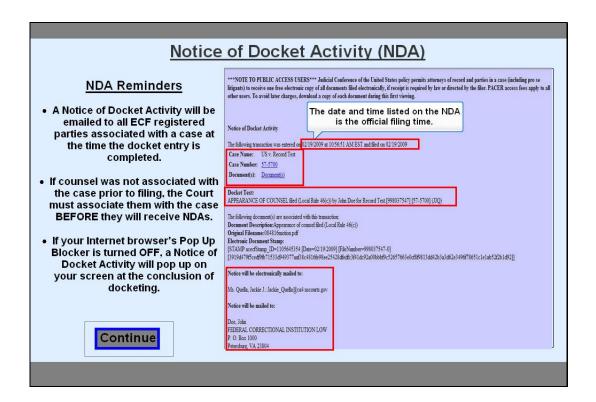
Slide notes: Administrative Order 08-01 directs the electronic filing of documents by attorneys with a few exceptions. Items that must be filed in paper form are, appendices in formally briefed cases, CJA & Assigned Counsel vouchers and case originating documents, for example, Petitions for Review, Writs of Mandamus and Rule 5 Petitions. Formal briefs are filed electronically and you must serve the Court with paper copies, as prescribed by Local Rule 31(d). All other documents must be filed electronically.



SERVICE

Slide notes: Here's some important reminders regarding service of documents filed electronically:

- 1. A certificate of service is required for all documents filed with the Court.
- 2. Documents filed via ECF will automatically be served on all ECF registered users associated with the case, except sealed documents, which must be served in paper form to all parties.
- 3. For any pro se party or counsel who is not an ECF registered user, counsel is responsible for serving documents conventionally.
- 4. Utilize the Attorney Service Preference Report in CM/ECF to determine how case participants need to be served. Please see the CM/ECF User Manual, which is available on the Fourth Circuit web site, for instructions on how to run the Attorney Service Preference Report.



NDAs

Slide notes: A Notice of Docket Activity is your proof of filing. The date and time listed on the NDA determines the timeliness of the filing. The NDA contains pertinent information about the filing, including case title and number, a link to the document filed, the docket text and service information. Please review the important NDA reminders. Press continue when you are ready to proceed.

Signatures

- A Filing User's login and password constitute their signature on all documents filed electronically.
- Use "s/[name]" to indicate a signature on any document filed with the Court.
- Scan documents that require a defendant's signature. For example, a Rule 42(b) motion to dismiss.

SIGNATURES

Slide notes: The ECF login and password constitute an attorney's signature on all documents filed electronically, and they should be safeguarded from unauthorized use. If you learn of any breach of security, please contact the Court immediately. Attorneys may delegate the use of their ECF account login information to authorized agents, but counsel is ultimately responsible for filings made using their account.

Sealed Items

- Documents that contain sealed information must be filed using special events that make the document accessible electronically only to the Court. The two events are:
 - SEALED DOCUMENT OR MOTION FILED
 - SEALED BRIEF FILED
- Sealed items must be served on opposing parties in paper form.
- Immediately following filing a sealed document, you must file a certificate of confidentiality or motion to seal using the appropriate entry.

SEALED ITEMS

Slide notes: It is critical that all documents containing sealed material be filed properly. Sealed documents are filed using one of two entries, either Sealed Brief Filed or Sealed Document or Motion Filed. These entries restrict electronic access to Court users only; no one outside of the Court will be able to view the documents via ECF or PACER. Sealed documents must be served conventionally on all parties associated with the case. Please contact the Court if you have any questions regarding filing a sealed document or brief.



RESTRICTED ACCESS

Slide notes: There are two case types which have restricted public access, immigration and social security cases. Court orders and opinions are available electronically to the public

via Pacer. All other documents are restricted to electronic access by registered ECF users associated with the case. You must be logged into Fourth Circuit CM/ECF

before attempting to view immigration or social security documents via PACER or the Notice of Docket Activity link.

Redaction of Personal Data Identifiers

Pursuant to Administrative Order 08-01 - Rule 12, parties must refrain from including or redact personal data identifiers from documents filed with the Court whenever such redaction is required by FRAP 25(a)(5).

Personal Data Identifiers

- Social security numbers
- Names of minor children
- · Dates of birth
- Financial account numbers
- Home addresses (in criminal cases)

NOTE: The Clerk will not review each pleading for compliance; the responsibility for redacting personal data identifiers rests solely with counsel and the parties.

PERSONAL IDENTIFIERS

Slide notes: With the exception of sealed documents and documents filed by the parties in immigration and social security cases, documents filed with the Court are available via PACER on the Court's Internet site. Therefore, personal or sensitive information should not be included in documents filed with the Court. Counsel is responsible for ensuring that social security numbers, names of minor children, dates of birth, financial account numbers and home addresses in criminal cases are not included or are redacted in documents filed with the Court.

Hyperlinks

Documents filed via CM/ECF may include hyperlinks to the following types of information:

- 1. Other portions of the same document;
- 2. Any document filed on appeal;
- 3. Documents that are part of the record in the lower court;
- 4. Statutes, rules, regulations and opinions.

Hyperlinks don't replace standard citations.

On-line training on how to create hyperlinks in a document is available on our Electronic Leaving Module site.

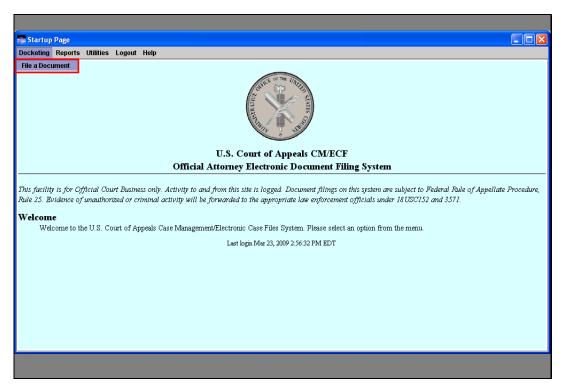
HYPERLINKS

Slide notes: Counsel may include hyperlinks in documents filed electronically. Hyperlinks do not replace standard citations. If you need assistance with creating hyperlinks, please review the learning modules available on our web site.



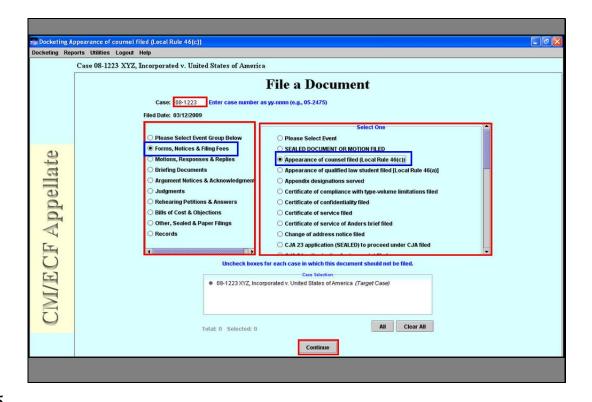
START UP PAGE

Slide notes: Now that we've reviewed the Fourth Circuit ECF policies, let's look at how to complete an ECF filing. This is a demonstration of the ECF application, so you don't need to click or type to advance the presentation. This is the ECF Start-up page. To begin filing, Docketing is selected from the menu bar.



APPPEARANCE OF COUNSEL

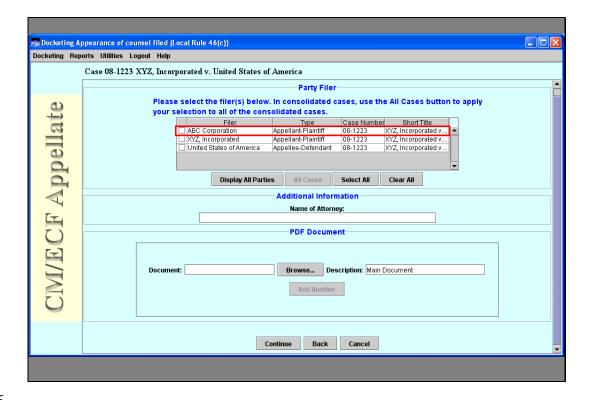
Slide notes: Next, File a Document is selected.



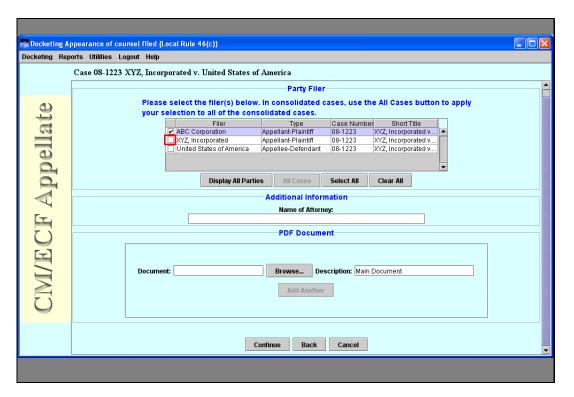
Slide notes: On the first page in docketing, we'll type in the case number we want to docket to, then select the Event Group. Once an Event Group is selected, the Events for that

category will appear in the right-hand box. In this example, the event group Forms, Notices and Filing Fees has been selected, and we will be docketing the event

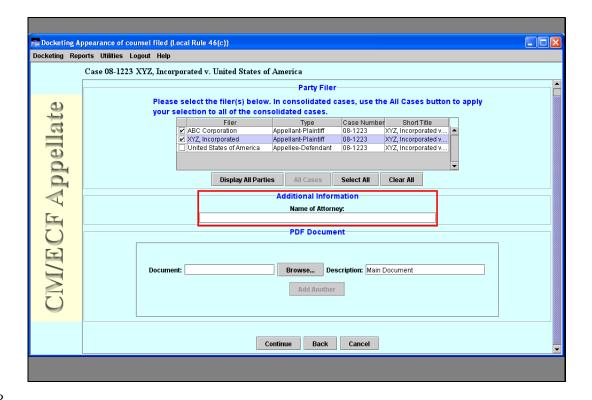
Appearance of Counsel Filed (Local Rule 46(c)). After selecting the event, clicking the Continue button moves us to the next screen.



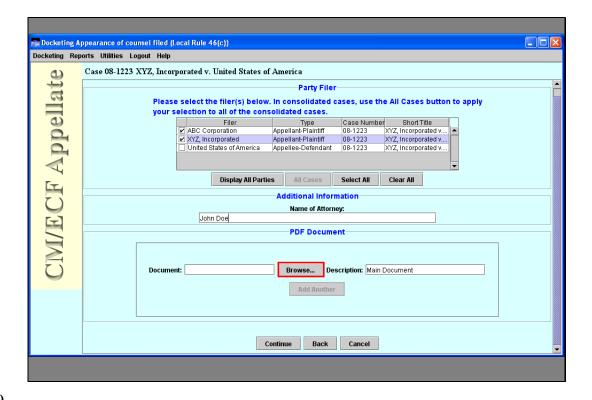
Slide notes: In every ECF entry, you'll have to indicate which party or parties you are filing on behalf of. This filing is made by the appellants, so first the check box for ABC Corporation is selected.



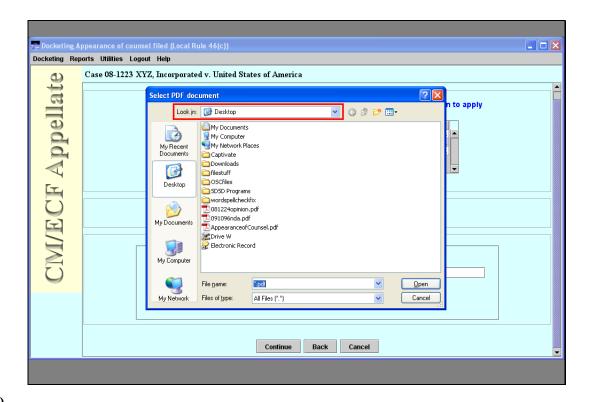
Slide 17 Slide notes: Next, the check box for XYZ, Incorporated is selected.



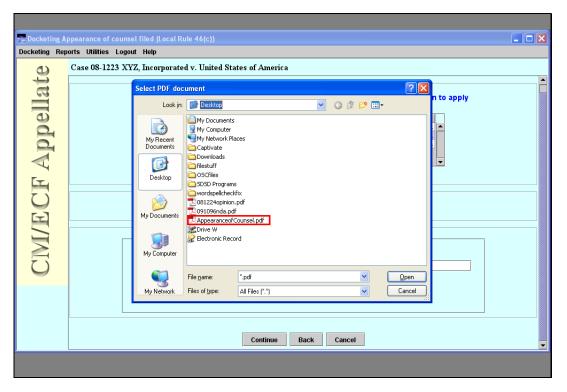
Slide notes: Now both appellants have been selected. This entry requests additional information, the name of the attorney filing the appearance of counsel form. Most CM/ECF entries include requests for additional information; when you are filing, please read each request and respond appropriately. In this case we'll type the attorney's name, John Doe, in the available text box.



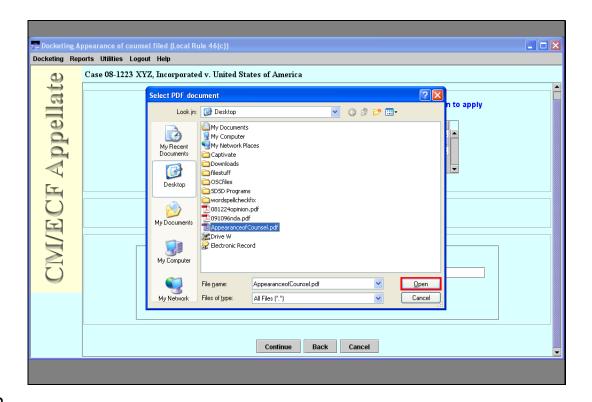
Slide notes: Next, we'll click the Browse button to locate the PDF file we want to attach to this entry. Each document uploaded to CM/ECF must be 2.5 megabytes or smaller. An error message will appear if you fail to upload a document or the document is over the size limitation.



Slide notes: The Select PDF Document dialog box will appear. In this example our document is saved to the Desktop, but you can browse to any available folder to access documents for filing.

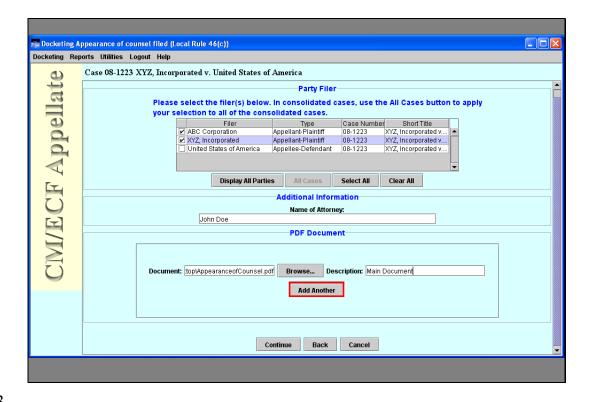


Slide 21 Slide notes: To attach a document to an entry, click the document title, in this case AppearanceofCounsel.pdf.



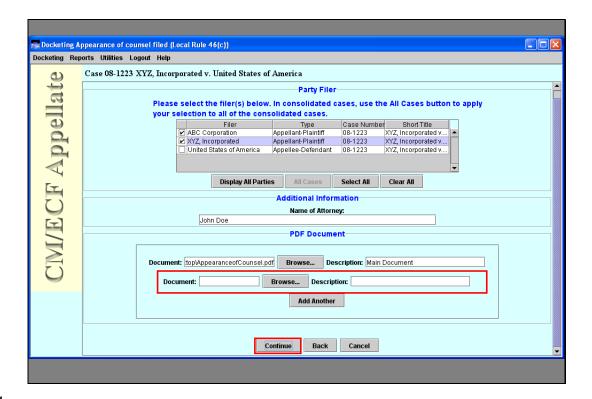
Slide 22

Slide notes: Then we'll click the Open button to upload the selected document to CM/ECF.

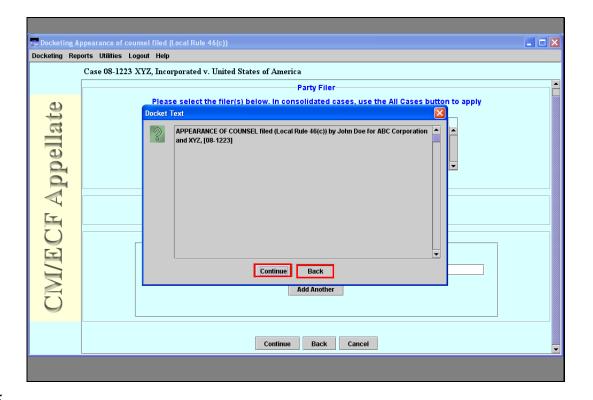


Slide 23

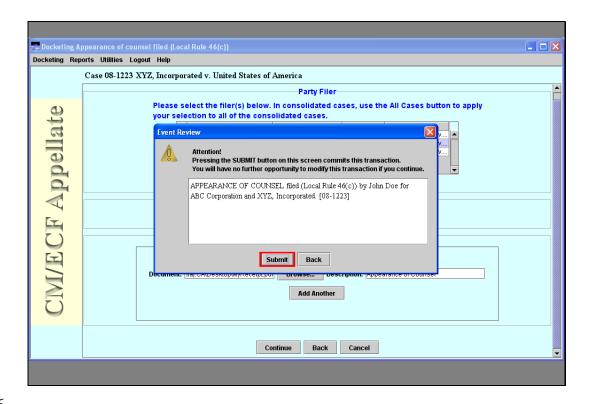
Slide notes: If you have more than one document to attach to an entry, click the Add Another button.



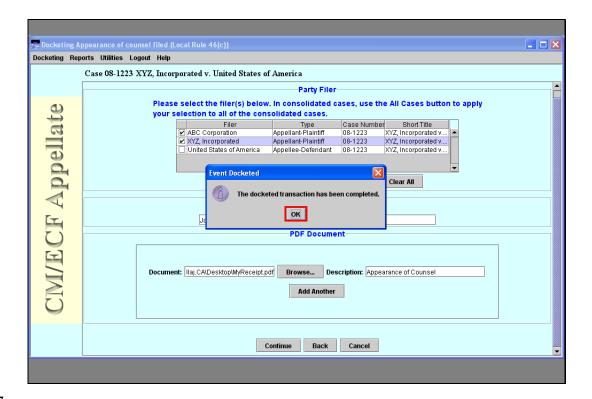
Slide notes: After clicking Add Another, you will have the opportunity to upload a second document. You can upload as many individual files as you want as long as the total file size does not exceed 25 megabytes. Once all the necessary files are attached to the entry, clicking the Continue button will move us to the next screen.



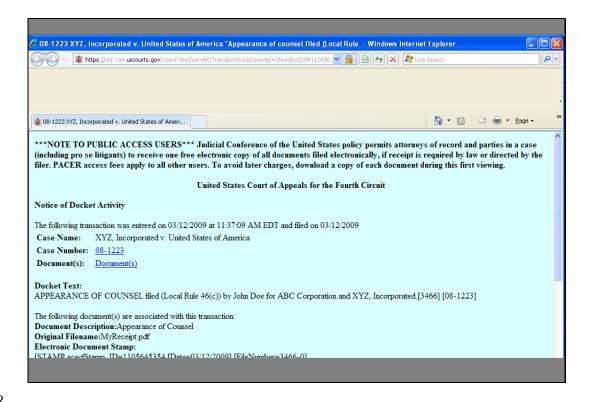
Slide notes: Next, the Docket Text dialog box appears. This is our opportunity to read the text to confirm that we've selected the correct parties and answered all additional information requests appropriately. If any information is incorrect or missing, we would click the Back button to make changes. Our information is correct, so we'll click Continue to proceed.



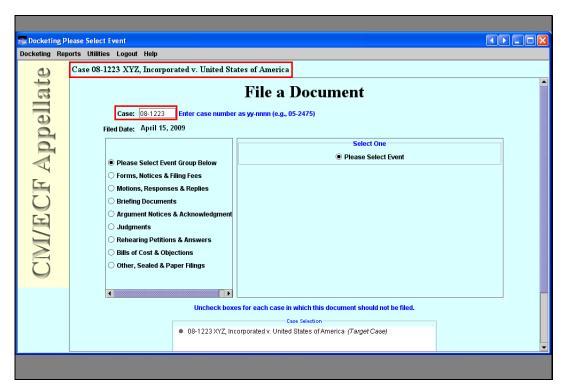
Slide notes: The system gives us one last chance to review the docket text. Again, if anything was incorrect, we'd click the Back button. To finalize the entry, we'll click Submit.



Slide notes: Once the entry has been successfully docketed, the Event Docketed dialog box will appear on the screen. We'll click OK to complete the entry.

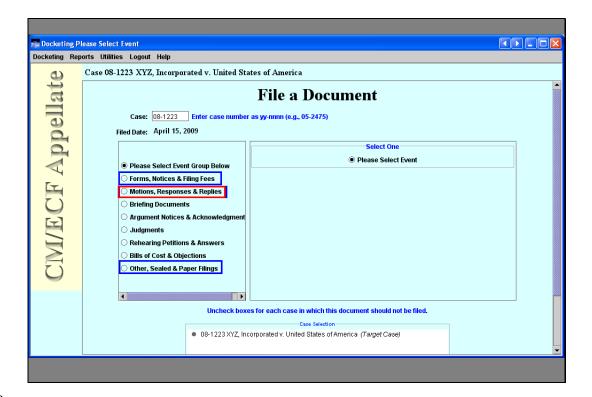


Slide notes: If you have pop-up blockers turned off in your Internet browser, the Notice of Docket Activity will launch on your screen. At the same time, the Notice of Docket Activity will be emailed to the Court and all ECF Users associated with the case, including counsel filing the document.



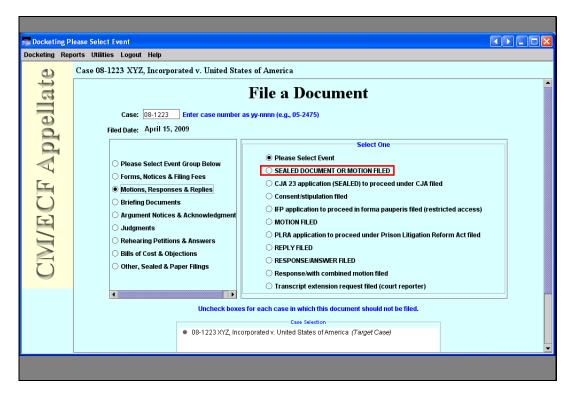
SEALED MOTION

Slide notes: After closing the Notice of Docket Activity for our last filing, CM/ECF brings us back to the File a Document screen with our case already selected. Next, we are going to file a Motion for Extension of Time that includes sealed material. Remember, any document containing sealed material must be filed using the appropriate sealed entry, either Sealed Document or Motion Filed or Sealed Brief Filed.

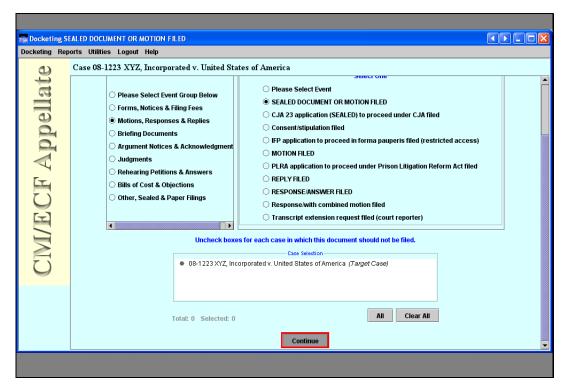


Slide notes: The entry Sealed Document or Motion Filed is listed under several event categories including, Forms, Notices & Filing Fees; Motions, Responses & Replies; and Other,

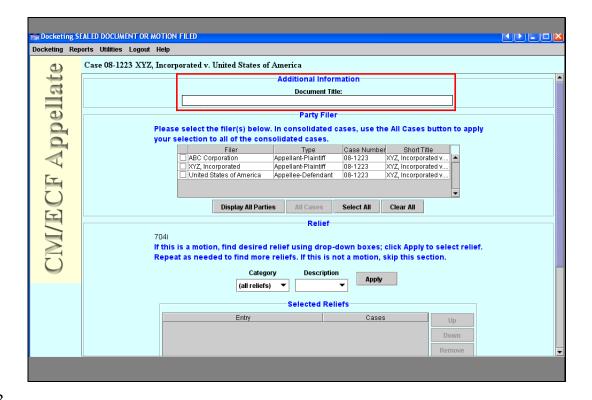
Sealed & Paper Filings. Any of these categories can be selected, the key is to select the correct event from the right-hand box. In this example, we'll select the event category Motions, Responses & Replies.



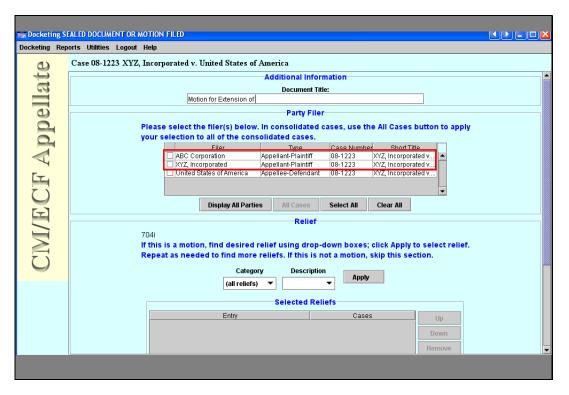
Slide 31 Slide notes: From the event list, we'll select Sealed Document or Motion Filed.



Slide 32 Slide notes: Next, we'll click continue at the bottom of the screen.

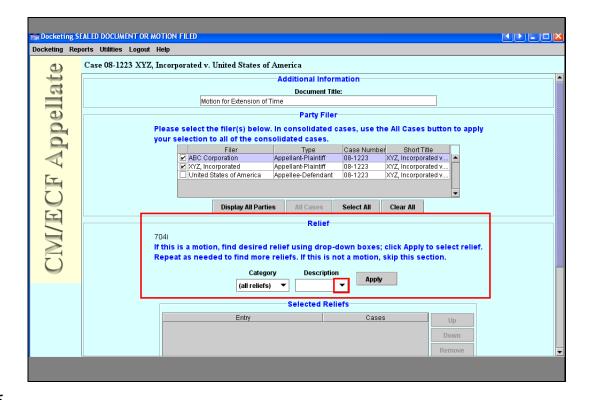


Slide notes: The first additional information request asks us to type in the Document Title. For this example, we'll type Motion for Extension of Time.

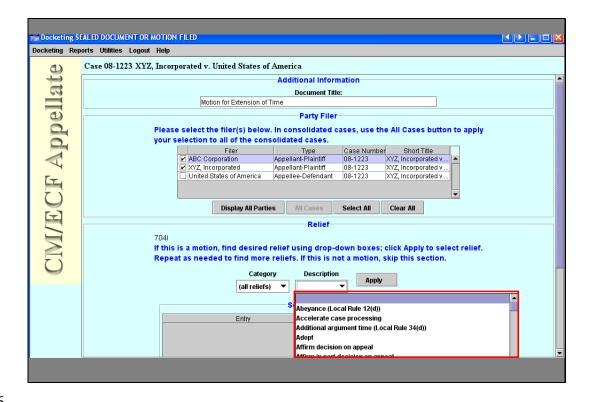


Slide 34

Slide notes: Next, we'll select the parties we are filing on behalf of, appellants ABC Corporation and XYZ, Incorporated.

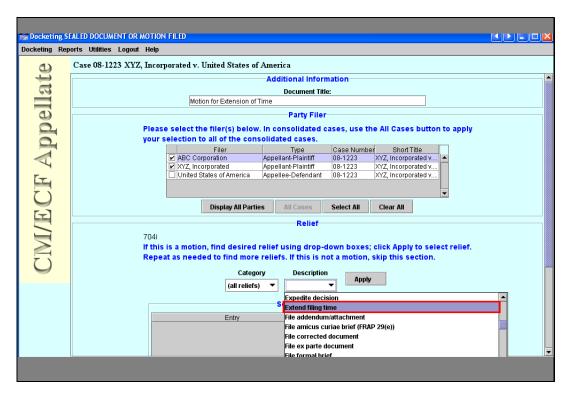


Slide notes: The Relief section of this entry is where we'll indicate what type of motion we are filing. You will always have to select at least one relief each time you file a motion. If we were filing a sealed document rather than a sealed motion with this entry, we would skip the relief section. To select a relief, we'll click the drop down arrow under description.

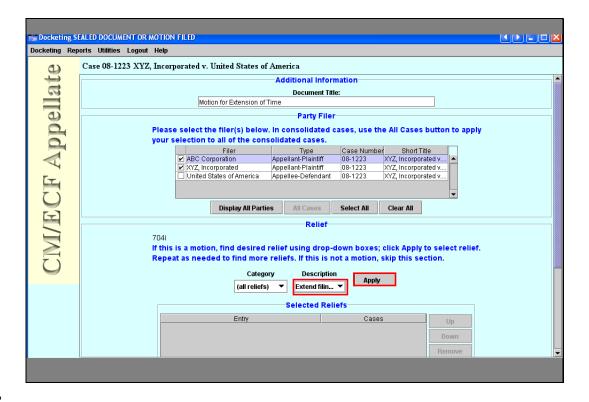


Slide 36

Slide notes: An alphabetical list of all available reliefs appears. We'll scroll down the list until we locate "Extend Filing Time." If you are unsure which relief to select, please contact the Clerk's office for assistance.

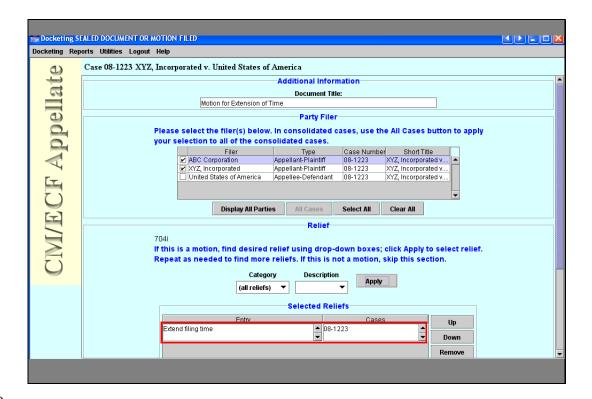


Slide 37 Slide notes: Once the appropriate relief is located, we'll double click to select.



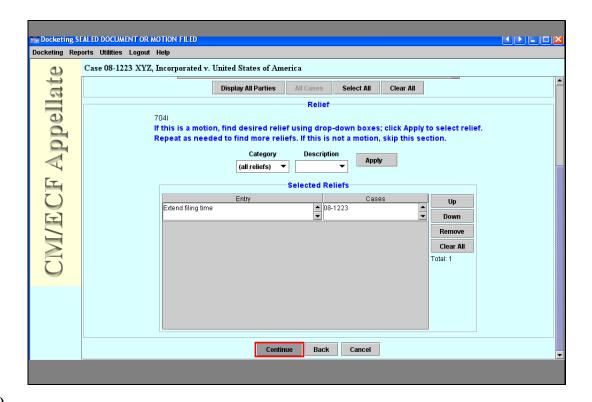
Slide 38

Slide notes: The relief will now appear in the description box. We'll click the Apply button to confirm our selection.



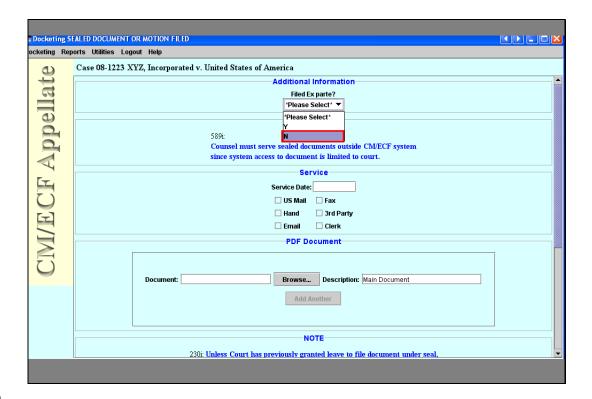
Slide 39

Slide notes: The relief will appear in the Selected Reliefs box.

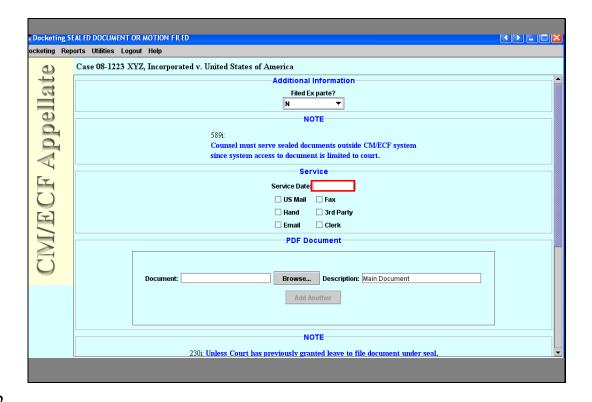


Slide 40

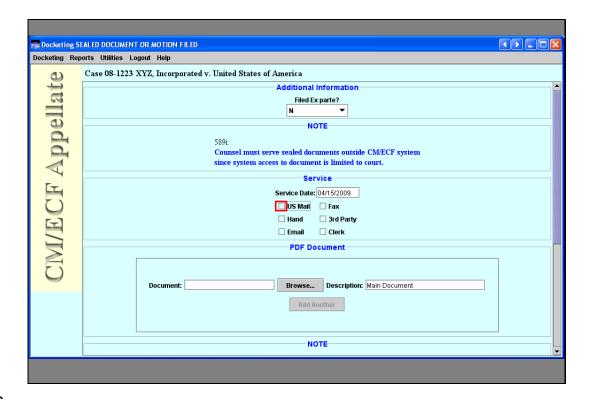
Slide notes: We'll click Continue to proceed.



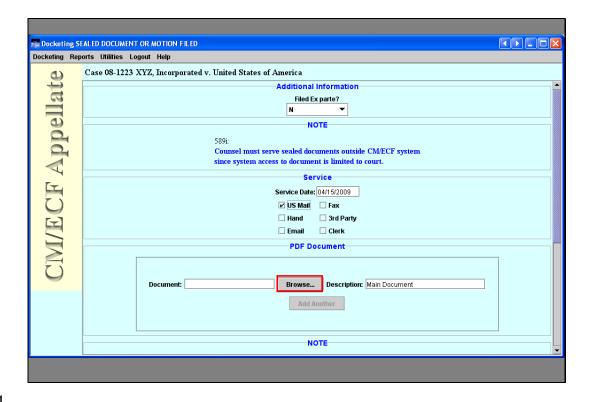
Slide notes: The next screen requires answers to a number of additional information requests and the uploading of our motion in PDF form. First, we'll answer if the motion is being filed ex parte. In this example, we'll select "N" for No.



Slide notes: Next, we'll enter the date we are serving the motion on opposing counsel. This should be the same day you are completing the filing. We'll enter 04/15/09.

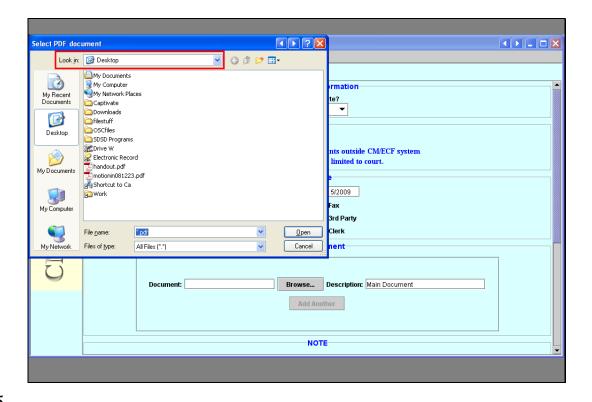


Slide notes: Next, we must indicate how service will be accomplished. Since we are filing a sealed document, service must be made outside of CM/ECF so US Mail or Hand delivery should be selected. We'll choose US Mail.

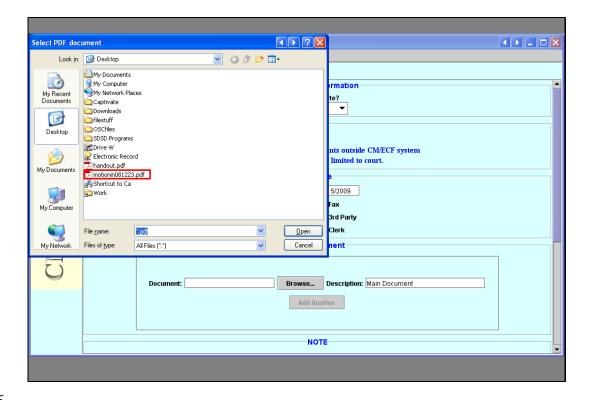


Slide 44

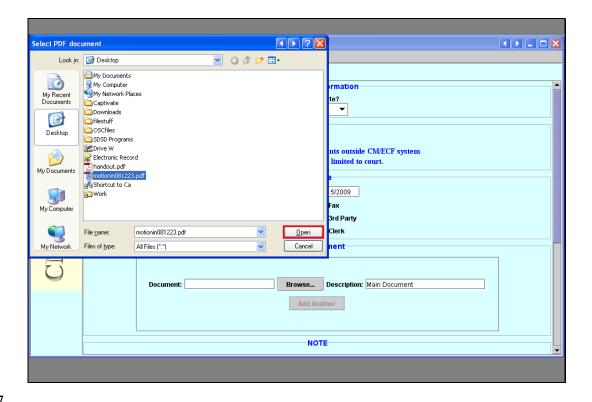
Slide notes: Next, we'll click the Browse button to locate the PDF file we want to attach to this entry.



Slide notes: The Select PDF Document dialog box will appear. In this example our document is saved to the Desktop, but you can browse to any available folder to access documents for filing.

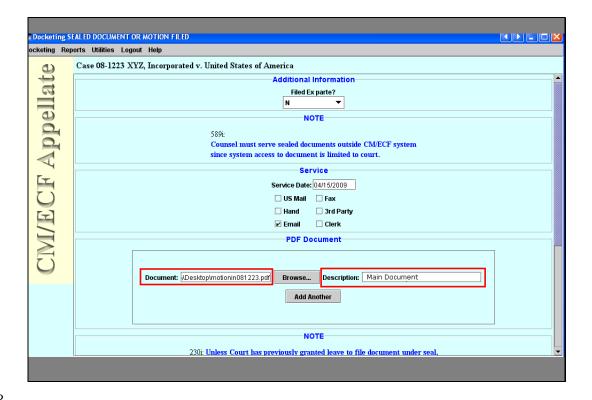


Slide notes: To attach a document to an entry, we'll click on the document title, in this case Motionin081223.pdf.

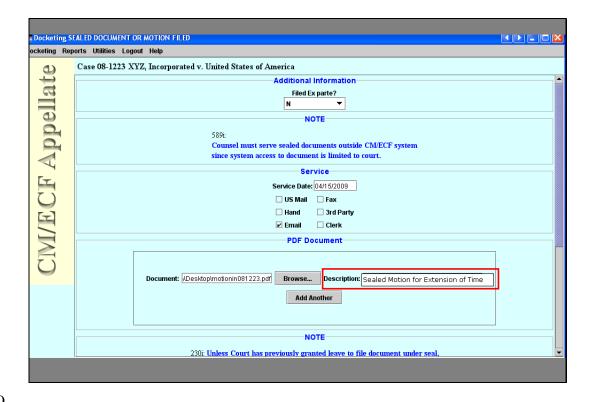


Slide 47

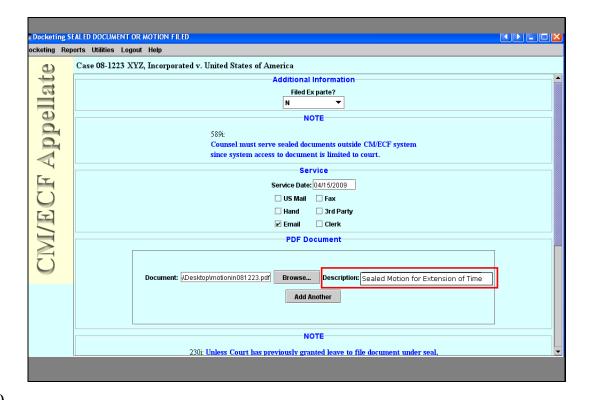
Slide notes: Then we'll click the Open button to upload the selected document to CM/ECF.



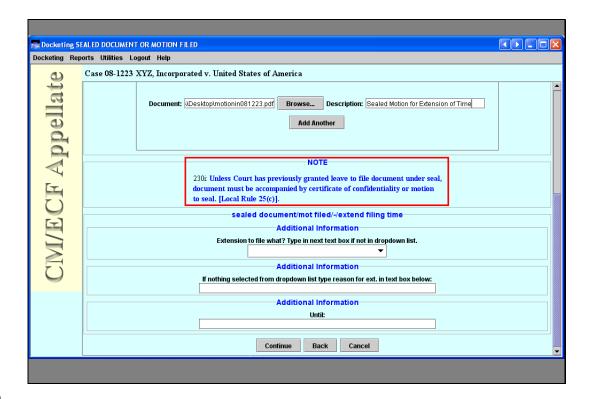
Slide notes: The document path for the selected PDF file appears in the Document text field. By default, the description is listed as Main Document, we can change the description by simply highlighting the text and typing our own description.



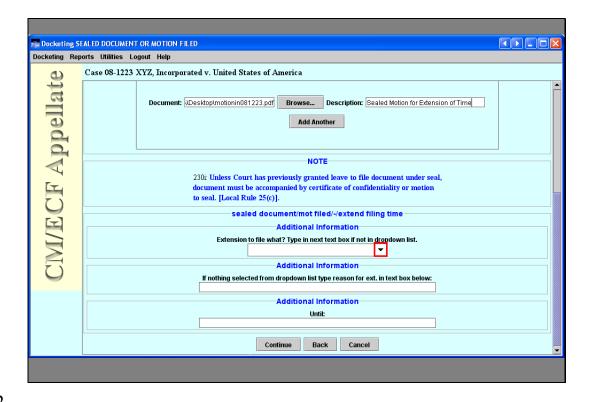
Slide notes: In this example, we'll describe the document as "Sealed Motion for Extension of Time."



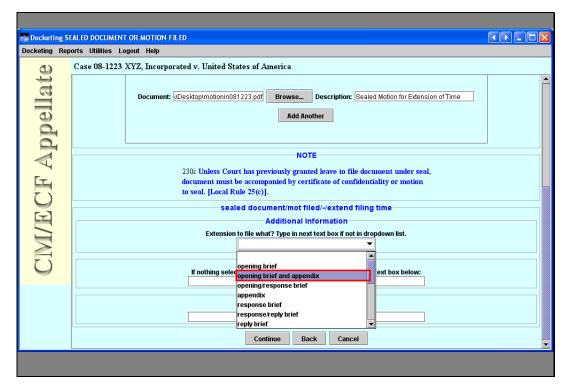
Slide notes: Changing the default description for a document allows users to easily identify documents when they are viewing them from the docket sheet.



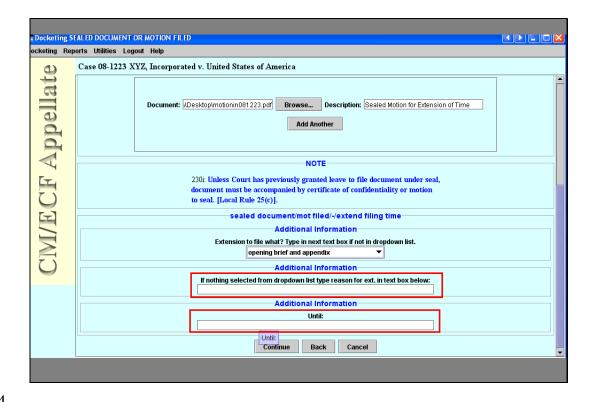
Slide notes: Please read the note included in this entry. You must separately file a certificate of confidentiality or motion to seal whenever you file a sealed motion, document or brief.



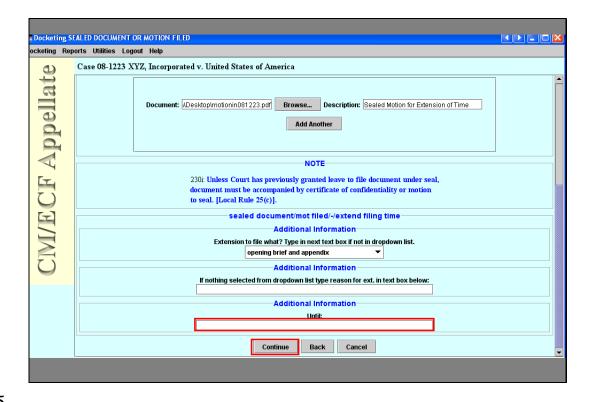
Slide notes: Next, there are more Additional Information questions. First, we must indicate what type of extension we are seeking. By clicking the drop down arrow, we are provided with a list of items that we may choose from.



Slide 53 Slide notes: We'll select opening brief and appendix by clicking once.

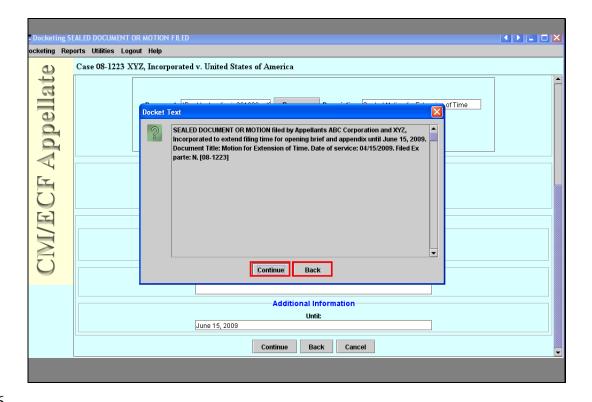


Slide notes: The next additional information request asks us to type in an answer if we did not select something from the drop down menu. Since we selected opening brief and appendix, we can skip this box. Finally we must enter how long of an extension we are seeking.

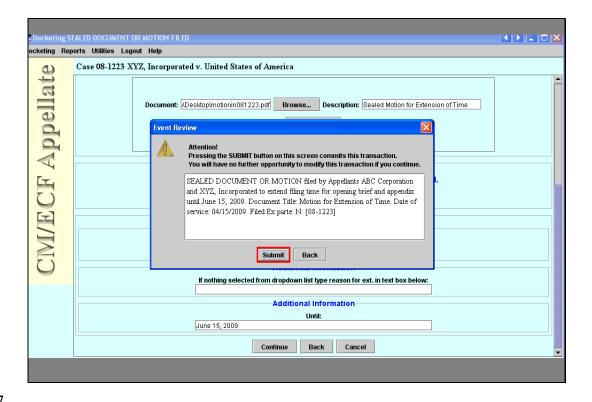


Slide 55

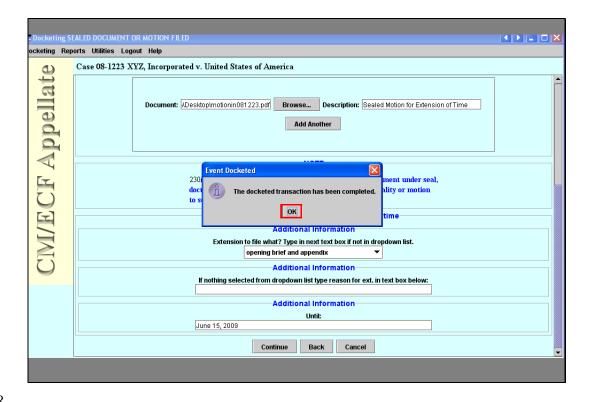
Slide notes: After typing our requested extension date of June 15, 2009, we'll click the Continue button.



Slide notes: Next the Docket Text dialog box appears. This is our opportunity to read the text to confirm that we've have selected the correct parties and answered all additional information requests appropriately. If any information is incorrect or missing, we would click the Back button to make changes. Our information is correct, so we'll click Continue to proceed.

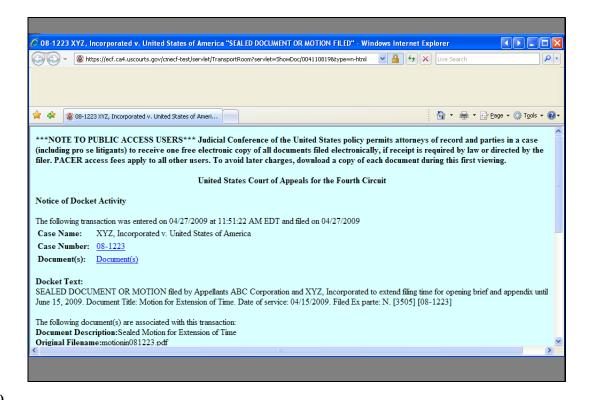


Slide notes: The system gives us one last chance to review the docket text, again, if anything is incorrect, we'd click the Back button. To finalize the entry, we'll click Submit.

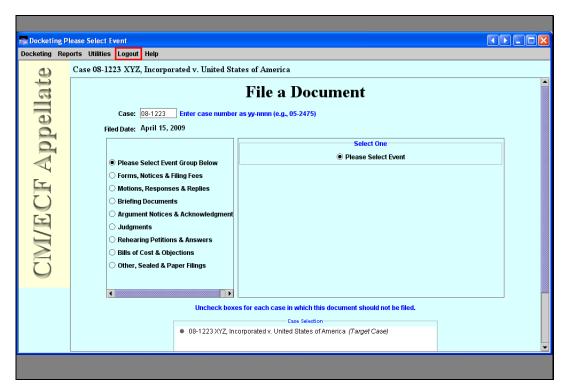


Slide 58

Slide notes: Once the entry has been successfully docketed, the Event Docketed dialog box will appear on the screen. We'll click OK to complete the entry.



Slide notes: If you have pop-up blockers turned off in your Internet browser, the Notice of Docket Activity will launch on your screen. At the same time, the Notice of Docket Activity will be emailed to the Court and all ECF Users associated with the case, including counsel filing the document.



LOGOUT

Slide notes: After closing the Notice of Docket Activity, CM/ECF brings us back to the File a Document screen. To exit CM/ECF, we'll click Logout from the menu bar.

Error Correction

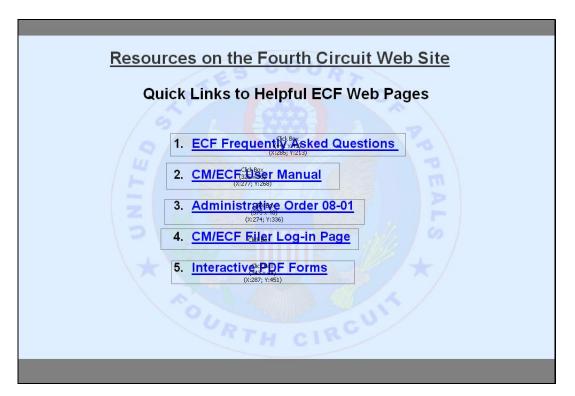
Each attorney filing will be reviewed by the Clerk's office. If the filing is incomplete, incorrect or filed in the wrong case, a notice will be issued directing correction and refiling.

- If you realize you need to change something BEFORE you commit the entry, you can use the BACK button or CANCEL button.
- If you realize you made a mistake AFTER you commit the entry, contact the Clerk's Office.

Fourth Circuit ECF Help Desk - 804-916-2767

ERROR CORRECTION

Slide notes: All entries made by ECF filers will be reviewed by the Clerk's office. If there is a problem with your filing, a Notice of Docket Correction will be issued, requesting correction within two days. Please contact the Clerk's office if you realize you've made a mistake after completing a filing. If you have any questions regarding filing, please call the Fourth Circuit ECF Helpdesk at 804-916-2767.



WEBSITE

Slide notes: Also, remember the Fourth Circuit web page has a variety of ECF resources available 24 hours a day. Please visit the site often for updates.



COMPLETE REQUIREMENTS

Slide notes: Now that you have reviewed the Fourth Circuit ECF Policies and Appellate ECF filing, please complete the Review and Certification Form and your Appellate ECF Registration. Use the links on this page to complete each step. Upon receipt of a passing Review score, at least 80%, and your ECF registration, your account will be activated. Click the End button to close this lesson.



EXIT Slide notes: